

STATEMENT OF BASIS (AI No. 126749)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0121967 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Superior Labor Services, Inc.
6104 West Park Avenue
Houma, Louisiana 70364

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Yvonne Baker

DATE PREPARED: January 9, 2006

1. PERMIT STATUS

A. Reason For Permit Action:

First time issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit - NA

C. LWDPS permit - NA

D. Date Application Received: February 2, 2005. Additional information was received on January 5, 2006 and January 12, 2006.

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY - barge cleaning facility

This is an existing facility which pressure washes out the interior of ballast tanks for incoming barges/vessels. The discharges from this facility consists of incoming ballast and/or void tank water from customer barges/vessels and ballast tank washwater. The facility plans to wash 8 to 12 barges per year, approximately 1 barge per month. No additives are used in the washing process.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I, BPJ (facility does not clean commodities from barges/vessels)
3. Wastewater Type: II
4. SIC code: 3731, 4499

C. LOCATION – 8646 Park Avenue and ICWW Mile Marker 56 in Houma, Terrebonne Parish Latitude 29°35'56", Longitude 90°41'52"

3. --OUTFALL INFORMATION-----

Outfall 001

Discharge Type: incoming ballast and/or void tank water from customer barges/vessels
Treatment: none
Location: at the point of discharge from the incoming barge/vessel
Flow: intermittent
Discharge Route: directly to the Intracoastal Waterway

Outfall 002

Discharge Type: ballast tank washwater from customer barges/vessels
Treatment: none
Location: at the point of discharge from the barge ballast tank being washed
Flow: intermittent
Discharge Route: directly to the Intracoastal Waterway

Other Discharges -

Stormwater will be addressed with a Stormwater Pollution Prevention Plan (SWP3) required in Part II of the permit.

4. RECEIVING WATERS

STREAM - Intracoastal Waterway

BASIN AND SEGMENT - Terrebonne Basin, Segment 120304

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. fish and wildlife propagation
d. drinking water supply
f. agriculture

5. PROPOSED EFFLUENT LIMITS-----

BASIS - See Rationale on page 5.

6. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

1. WQMD: There are no open, appealed, or pending OEC enforcement actions as of January 9, 2006.
2. DMR Review: There are no DMR's for this facility, as this is the initial issuance of an LPDES permit.

7. — 303(d) LISTED WATERBODIES —

The discharges from Superior Labor Services, Inc. are to the Intracoastal Waterway, Subsegment 120304, of the Terrebonne Basin. Subsegment 120304 is listed on LDEQ's Final 2004 303(d) List impaired for nutrients (EPA – Category 5) and organic enrichment/low DO (EPA – Category 5). To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for the Terrebonne Basin, those suspected causes for impairment which are not directly attributed to the shipyard point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated.

Based on the evaluation of the effluent discharges, it was determined that the facility has the potential to discharge pollutants which may contribute to the organic enrichment/low DO impairment of the receiving waterbody. With this in mind, a limitation for COD was applied to the facility's incoming ballast and/or void tank water from customer barges/vessels and ballast tank washwater from customer barges/vessels discharges.

8. ENDANGERED SPECIES

The receiving waterbody, Subsegment 120304 of the Terrebonne Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated 10/21/05 from Watson (FWS) to Gautreaux (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

9. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

10. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

11. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

Rationale for Superior Labor Services, Inc.

1. **Outfall 001:** incoming ballast and/or void tank water from customer barges/vessels

<u>Pollutant</u>	<u>Limitation</u> Mthly Avg:Daily Max (mg/l)	<u>Reference</u>
Flow	Report:Report	Similar Discharges; BPJ
COD	---:250	Similar Discharges; BPJ
Oil & Grease	---:15	Similar Discharges; BPJ
pH	6.0 - 9.0s.u.	Similar Discharges; BPJ

BPJ Best Professional Judgment

Treatment: none

Monitoring Frequency: Flow, COD, Oil & Grease and pH shall be observed once per week at the point of discharge from the incoming customer barge/vessel.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities.

2. **Outfall 002:** barge ballast tank washwater

<u>Pollutant</u>	<u>Limitation</u> Mthly Avg:Daily Max (mg/l)	<u>Reference</u>
Flow	Report:Report	Similar Discharges; BPJ
*COD	---:250	Similar Discharges; BPJ
*Oil & Grease	---:15	Similar Discharges; BPJ
TSS	---:90**	Similar Discharges; BPJ
*pH	6.0 - 9.0su	Similar Discharges; BPJ

BPJ Best Professional Judgment
su Standard Units

Treatment: none

Monitoring Frequency: Flow, COD, Oil & Grease, TSS, and pH shall be observed once per discharge at the point of discharge from the ballast tank being washed.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities.

***-NOTE: Testing for COD, Oil & Grease, and pH is only required if a visible oil sheen is present.** If visible oil sheen is observed in the compartment containing the pressure washing wash water prior to the discharge event or if oil sheen is observed during the discharge event, testing for COD, Oil & Grease and pH is required.

****** The background concentration of Total Suspended Solids (TSS) will be allowed in the discharge if the effluent is being returned to the same source from which the intake water was obtained. In this case, the permit limitations will be 90 mg/l plus the concentration of TSS in the intake water. The TSS concentration of the intake water shall be reported on the Discharge Monitoring Report (DMR) along with the concentration of TSS in the effluent.

This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442, because, in accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility does not clean tanks used to transport chemical, petroleum or food grade cargos. Only ballast tanks are cleaned.

Storm Water Pollution Prevention Plan (SWP3) Requirement

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1.b, stormwater discharges that are associated with industrial activity shall be monitored. In accordance with LAC 33:IX.2511.B.14, SIC codes 3731 and 4499 are considered to be associated with industrial activity.

The SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Part II, Paragraph O of the Draft Permit).

If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference into the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasure Plan (SPCC), Best Management Plan (BMP), Response Plans, etc.